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Liberty, Non-domination, Markets¹

Introduction

It is a notable feature of Philip Pettit's path-breaking 1997 book *Republicanism* that it has almost nothing to say about markets, nor the economy more generally. The most explicit treatment comes in a single paragraph, towards the end of the work:

Do republicans have to oppose the free market as, by this argument, they have to oppose the proposal that would organize politics on market lines? No, they don't. It is true that in the free market, as theorized by economists, individuals face one another as the bearers of naked preferences and try each to do as well as they can in satisfying those preferences. But short of great differences of bargaining power, this arrangement does not mean that anyone is exposed to the possibility of arbitrary interference by any other or any group of others. One seller may be able to interfere with another by undercutting the other's price, but the second should be free, above the level of the competitive price, to undercut that price in turn; thus there is no question of permanent exposure to interference by another...The ideal of contestatory democracy is revisionary, but not so revisionary as to be hostile to every form of market arrangement (Pettit 1997, 205).

Pettit's 2012 *On the People's Terms* does not offer a more extensive treatment. Neither 'market' nor 'economy' receive even an index entry, with the emphasis throughout being turned towards democratic control of the apparatus of the coercive state, in an attempt to show that the existence of the latter may be made fully compatible with Pettit's view of freedom as non-domination.

The reason for this lack of interest is not, however, mysterious. In an intervening 2007 article Pettit made clear that he thinks republican theorists of freedom as non-domination can look with 'complacency' upon market transactions, in and of themselves (Pettit 2007a, 142). That is, even if in the real world actually-existing markets generate domination and thus compromise

¹ I would like to thank Matt Sleat, Ed Hall, Rob Jubb, Enzo Rossi, Bernardo Zacka, Adam Tebble, Carmen Pavel, Robin Douglass, Mark Pennington, Jeremy Jennings, Chandran Kukathas, the Journal's three anonymous reviewers, the editor Ruth Abbey, and especially my former colleague John Filling, for their comments and help in writing this paper. A version of the argument was presented to the Political Philosophy Seminar at the London School of Economics; I am grateful to the participants for their comments, and to Lucia Rubinelli for inviting me.

republican freedom, that is a product of markets failing to operate as they ought, or might reasonably be hoped to (Pettit 2007a, 139). Objection is thus to the failure, not to markets themselves. Hence, presumably, why Pettit has so little to say about them elsewhere.

The aim of this article, by contrast, is to argue that if the mere possibility of arbitrary interference is the defining feature of unfreedom (as Pettit maintains), then markets represent an altogether more severe challenge. In seeing why this is so, however, we must take account of the fact that any view of freedom in a world of markets will in significant part be a function of wider political ideology. Deciding what freedom is – and judging when it has been lost, gained, or left untouched – means drawing upon wider political commitments, regarding which a republican theory of freedom is not, and cannot hope to be, simply neutral. In turn, the plausibility of republican freedom as an adequate way of understanding what freedom can mean for us, in a world of markets, is called into question.

In this regard it is remarkable that, at least to my knowledge, the question of republican freedom's relationship to markets, and the economy more generally, has not yet received sustained critical attention. With the partial exception of Gerald Gaus (2003), whose arguments regarding security and the mere possibility of arbitrary interference I develop below with regards specifically to markets,² and Alexander Gourevitch (2011, 2013, 2015), who has called into question the adequacy of Pettit's view of domination in the context of the structural positions workers may find themselves in given the ownership of the means of production, the plausibility of republican freedom in a world of markets has not yet been thoroughly questioned. This paper puts that right – and issues a challenge to Pettit's republicanism in turn.

Before proceeding to the substance of the argument, a word of clarification, or perhaps warning, is in order. Namely, that in what follows I do not attempt to offer a positive alternative

² Gaus also claims that Pettit's republicanism is a post-socialist critique of capitalism. This is an interesting, but problematic, claim, at least as originally formulated. On the one hand, Pettit certainly does not conceive of himself as an opponent of capitalist arrangements – so as a characterisation of the intentions of republican theory's leading practitioner, Gaus is surely wrong. On the other, and as I try to show below, Gaus's intuitions may well nonetheless be fundamentally correct on this score: that when spelled out properly, the logic of republican freedom is in fact deeply hostile to market arrangements due to the massive levels of potential uncontrolled interference they generate.

to Pettit's account of freedom, instead restricting the argument to highlighting what I take to be its flaws. This is for two related reasons. First, it is beyond the scope of any one paper to establish the myriad historical and philosophical factors that need to be taken into account in order to adequately come to understand what liberty means for agents like us, at this particular juncture of history. Second – and connectedly – I do not think it is helpful to approach questions of liberty in terms of definitions, or attempts to stipulate what freedom is, typically stated at the outset, and around which the philosopher then claims to fit the world, offering something which aspires to be the final word on the core conceptual issues. In this regard I am deeply sympathetic to Bernard Williams's insistence that not only are there 'no very interesting definitions of anything', but that precisely 'in the case of ethical and political ideas, what puzzles and concerns us is the understanding of those ideas...as a value for us in our world' (Williams 2005, 75). Part of the point being, I take it, that values in our world are contested and complex, and cannot be appealed to on the basis of allegedly self-evident and neutral starting points, supposed to be shared by all reasonable interlocutors – and this is most especially true of freedom.³ Hence, I neither try to define, nor stipulate generally, what freedom finally *is*. Instead I attempt only to bring out some reasons to think that Pettit's account cannot give us what we need. In significant part, the approach taken in what follows is a function of the fact that I am sceptical that there can be non-moralized accounts of freedom, or at least, non-moralized accounts that tell us anything interesting.⁴ If that is indeed so – if all interesting accounts of freedom are at some important level ineliminably moralized – then insisting that one conceptual account is simply correct, independent of whatever values and commitments relevant agents bring to bear, is doomed to fail. In what follows I try (albeit largely indirectly) to show some ways in which I take this to be true, in particular by emphasizing the importance that existing political ideologies are likely to play when it comes to judgements about freedom.

³ That so much contemporary Anglo-analytic theory assumes precisely such neutrality and reasonableness indicates that so much contemporary Anglo-analytic theory is at present unhelpful.

⁴ For recent defense of a moralized account of freedom, see Bader 2018.

With that warning about the somewhat unorthodox stance adopted here,⁵ we may proceed to the argument proper, which runs as follows. Section 1 recapitulates Pettit's account of freedom and markets, particularly his claim that i) a property regime is akin to a natural environment, and ii) that intentionality is what demarcates interferences that are relevant to social freedom. Section 2 argues that Pettit is mistaken in suggesting that market outcomes are comparable to those produced by natural phenomena, whilst Section 3 offers reasons for thinking that intentionality cannot limit the scope of interferences relevant to social freedom, in the ways that Pettit hopes. When combined, these considerations indicate that when it comes to how the market affects freedom, Pettit must draw his theoretical account either too narrowly, or too widely: he is faced with either claiming that manifest instances of interference do not count as such *simply because* they are unintended, or else allow unintended interference to count – but at the cost of being forced to say that therefore pretty much every person alive today (save perhaps the über-rich) is in a dominated state of unfreedom. I suggest that neither of these positions is plausible, and that therefore Pettit's view of freedom as non-domination is called into severe question. Sections 4 and 5 consider some potential republican replies, but find them wanting, whilst asking what we more fundamentally need from an adequate account of freedom in modern market conditions. I conclude by suggesting that when it comes to making sense of freedom, looking to revive a political vision of liberty 'before liberalism' is unlikely to prove helpful.

1. Pettit on Freedom and Markets

Although Pettit has made a number of refinements and restatements over the past two decades, his account of freedom as non-domination has remained essentially constant (e.g. Pettit 1996,

⁵ Not least in drawing inspiration from Williams, it is fair to say that the argument presented here is self-consciously and deliberately *realist*. Pettit (2017) has recently suggested that his neo-republican philosophy of government does a good job of satisfying various 'realist desiderata'. By contrast, this paper suggests that whatever may be said about such desiderata, at a more fundamental level Pettit's republicanism is anything but realist.

1997, 2002, 2008, 2012).⁶ For Pettit, mere non-interference (which he associates with a liberal conception of freedom) is inadequate if explicating a satisfactory conception of political or social freedom. Instead, agents need to be secured in terms of *non-domination*. According to Pettit, domination occurs when an agent's choices are subject to interference by another agent, and which is not under the control of the agent interfered with. Pettit formerly referred to this as 'arbitrary' (e.g. Pettit 1997, 52-63), but has preferred more recently to render it in terms of 'uncontrolled', interference (Pettit 2012, 58).⁷

On Pettit's account, merely being left uninterfered with is not sufficient to secure freedom, if such non-interference is granted only by the whim of a potential dominator, or is merely improbable, rather than being made subject to robust checking mechanisms. This can be brought out through the paradigmatic (for republicans) example of the slave with a benevolent master: insofar as the master continues to act benevolently, the slave may be able to fulfil all of their preferred choices without being interfered with, but nonetheless they remain in an important sense unfree insofar as the master *could* interfere with the slave without regard to their avowed interests. As Quentin Skinner has elucidated, the point is not simply that those in the position of the slave will typically be forced to act in cowed and toadying ways to ingratiate themselves to masters, forcing them into a life of servile behaviour and psychological deformity. The point is 'existential': that even if the master remains entirely benevolent and never interferes, and the slave thus never engages in psychologically and behaviourally servile ways, the slave nonetheless remains in a position of unfreedom as such (Skinner 2008a, 96, 99; cf. Pettit 2007a, 136).

⁶ I here concentrate on Pettit's account of freedom as non-domination because it is precisely the question of freedom that I wish to explore. I thus leave aside alternative formulations of republicanism in terms of non-dependency, which are concerned primarily with reducing domination rather than establishing a central claim about the nature of freedom (e.g. Lovett 2009, 2010).

⁷ Previously Pettit claimed that interference must track the avowed, or avowal-ready, interests of the interfered-with to not count as domination. This is dropped from the formal definition of freedom in *On the People's Terms*, in favour of an emphasis on control.

On the other hand, Pettit's view of republican freedom as non-domination means that freedom is not necessarily lost even if interference *does* occur. This is because interference that is appropriately forced to track the interests of the agent interfered with does not count as a violation of freedom if the agent has themselves authorized such interference, or has consented in appropriate ways to be part of a wider structure of checking mechanisms designed to prevent such interference being uncontrolled (Pettit 2008; 2012, *passim*).

With this framework of freedom as non-domination in place, where does that leave the possibility of interference generated through market exchanges? Pettit insists that the market is no special source of uncontrolled interference when it comes to social choices. Of particular importance are two interconnected arguments. The first is that inequalities arising from fair market exchanges made against a background of just initial holdings do not in and of themselves compromise republican freedom. Assuming that there is a system of legally-enforced property holdings, but one that excludes directly domination-generating property claims (e.g. slavery), and where exploitative practices are prohibited and prevented (e.g. predatory pricing, insider trading, etc.), and that in turn social agents are permitted to engage in free property exchange, it is unavoidable that inequalities will arise. In turn, the capacity to exercise social choices will be different for different agents, depending on their levels of property holdings. But this, in and of itself, does not mean that some ought to be considered socially less free than others. This is because the unequal distribution of property *conditions* but does not *compromise* the choices of agents (Pettit 2007a, 139). For Pettit, unequal holdings which are the outcome of legitimate market exchanges are comparable to the natural environment. As he puts it:

The property regime can have the aspect of an environment akin to the natural environment. Like the natural environment, it will certainly affect the range or the ease with which people enjoy their status as undominated agents, and it may warrant complaint on that account, but it will not itself be a source of domination (Pettit 2007a, 139).

Pettit does not deny that *contingently* inequality of holdings may generate domination, i.e. uncontrolled interference, and thus compromise republican freedom, e.g. if those who become

better off via market exchange 'lord it' over the poor, using their wealth to engage in arbitrary interference (Pettit 2007a, 141). In which case, the republican will be in favour of interventionist measures (where feasible) to reduce domination via increasing levels of material equality, and thus restoring (or at least improving) freedom as republicans understand it. But this is a separate issue from whether markets *as such* generate uncontrolled interference, and therefore domination. Insofar as Pettit compares unequal property holdings that are the outcome of market exchanges to the natural environment, he maintains that they merely condition, but do not compromise, social freedom, and are thus not in and of themselves of special concern to freedom as non-domination.

Pettit's second argument is that uncontrolled interference will only count as domination if it is *intentional*. As he puts it:

To interfere with a choice, as that notion is understood here, is always to put an obstacle in its way intentionally, or at least in such a manner (say, such a negligent manner) that blame may be in order. I do not interfere with you just through happening, like a natural obstacle, to be in your way or just through doing something that has the unforeseen effect of hindering you... Given that social freedom is what is at issue, I have to represent an obstacle of a distinctively human, interpersonal kind and this means, in effect, that I have to be intentionally or quasi-intentionally obstructive; the point is likely to be granted on many sides (Pettit 2007a, 135).

Pettit's requirement that uncontrolled interference be intentional to count as dominating is, it seems, connected to his claim that unequal property holdings are akin to the natural environment when assessing the effect of markets upon freedom. After all, if only intentional interference counts as *compromising* freedom, but unintentional interference merely *conditions* it, then the interference you experience as a result of my market activities will presumably be akin to the effects that you suffer from adverse weather. For example, if my market behaviour raises the price of some commodity that you could previously afford, or removes from circulation some scarce good that you previously relied upon, so long as I did not undertake such activity with the specific intention of interfering with your choices, then you have no specific complaint in

freedom against me. My cornering the market is like a lightning strike: bad luck for you, perhaps, but merely conditioning, not compromising, your social freedom.

Although he does not state it explicitly, by claiming that only intentional interference counts, Pettit blocks the claim implicit in Gerald Gaus's argument that republican freedom as non-domination entails the counterintuitive result that because we are all permanently at the mercy of interference produced by disparate market actors in diffuse webs of exchange interactions, we must therefore always be *ipso facto* subject to uncontrolled interference, and therefore extensively unfree (Gaus 2003, 73-4).⁸ By contrast, if only intentional interference counts, the Gaussian point will not hold. In the next two sections, however, I call into question the plausibility of Pettit's position.

2. Mountains vs. Markets

Is the 'property regime' (as Pettit puts it) akin to the natural environment, merely conditioning, but not compromising, our social freedom? Pettit's remarks on this matter are brief, and it is not clear how strict he intends this comparison to be. Nonetheless, he ought to be wary of resting much weight on it.

A central contrast is that the natural environment is in an important sense just there, regardless of what we do to it, whereas a property regime is not. For sure, we could attempt to bulldoze the granite monolith that stands between us and the next village, and indeed with sufficient (demented) political will it might be possible to literally move mountains. But if we don't apply such political will, then the mountain shall continue to be there: it was around long before we were, and will likely remain long after. Similarly, if we all died out tomorrow, the weather would continue unabated in *some* form or another, even if an end to anthropomorphic

⁸ Gaus himself does not make this point in reference to the economy, but to issues of security – however, I take it that his point about security generalizes to markets in the ways that I argue here. At any rate, it was reading Gaus's article, many years ago, that began the chain of thoughts that have culminated in the present essay.

climate change meant different patterns compared to what we are presently helping to bring about.

This is manifestly not the case with (for example) a market economy as a particular configuration for organising a property regime, precisely because the market is purely a matter of collective human agency, whereas our interaction with the natural environment is never *just* that. For a start, a well-functioning market economy is dependent upon wider background human institutions that enable it to operate. At a minimum (and not restricted to): an effective coercive apparatus to enforce property rights; recognised institutions of trade that facilitate exchange at all levels of society; bodies of law that cover different forms of commercial transactions with courts to adjudicate decisions; some sort of banking system that issues and guarantees specie as a mechanism of exchange – and so forth. Furthermore, whilst different institutions and laws can be adopted (and indeed, have been adopted) in different times and places to facilitate different forms of resource exchange, including attempting to do largely without markets, the economy is importantly dependent upon the continued psychological willingness of its participants to go on adhering to a large range of conventions that cannot be simply enforced by a central authority, but must be spontaneously rendered. The situation here parallels Hume's observation that all government is founded upon the 'opinion' of the ruled (Hume 1987, 32-3). If everybody decided to stop respecting private property rights, or to no longer place confidence in the value of paper money, or to believe that banks will guarantee deposits, then the economy would collapse. In other words, the economy is artifice through and through. Opting for a specifically *market* based system of property allocation is an aggregation of institutional practices, historical experiences, and psychological dispositions, and is not a necessary condition of social existence (although it may feel like that to us now). Whilst in modern conditions large-scale societies that have tried to do without market economies have been facilitators of far greater misery than those opting for some form of market-based system, they nonetheless illustrate the point that a property regime

operating along market lines is something sustained by human activity, and not just there in some form or another whatever we may do.

This contrast matters, because it means that the normative attitudes we can appropriately evince towards a property regime and the natural environment are different. Part of the point here is to re-state G.A. Cohen's (2011) observation that being unable to do something in a market economy is often not simply a question of lacking resources, but of being *prevented* by a coercive apparatus that will be activated in response. Whereas if I try to walk directly to the next village the mountain may prove impassable and I will be forced to either turn back or die of exposure, if I try to board a plane to Australia without a ticket what will ultimately prevent me from succeeding will be the airport security services, backed by the coercive apparatus of the state.⁹ In the latter case, there is a specific and identifiable structure of human agency that prevents me from exercising the choice I had hoped to make. This will be so in many situations where my lack of resources in a market economy forecloses the possibility of my exercising a social choice: what prevents me from doing what I want is not simply the lack of resources, but the lack of resources coupled with an effective enforcement mechanism.

In turn, the attitudes that individuals can appropriately hold towards the natural environment versus a property regime are importantly different. One way to bring this out is through the aptness of resentment (Williams 2005). If I discover that I cannot walk to the next village because a mountain blocks my way, it would be at the very least inapt to *resent* the mountain.¹⁰ To do so would be to direct a complex evaluative attitude reserved for interactions with agents at an inappropriate target. By contrast, resentment against the airport security staff would not be in the same way a category mistake. Insofar as these are ultimately *human agents* who

⁹ And indeed, I don't just need a ticket, but also a passport and a visa – and hence, my lack of resources *already* assumes a set of broader political institutions and authority structures within which the resource question can become salient. It is, of course, states who issue passports and visas, as well as who ultimately enforce property rights over airline tickets – which ought to remind us that we are *always* in the realm of coercive apparatuses when it comes to thinking about the background enabling realities of any resource-and-freedom questions as regards modern market interactions.

¹⁰ Beyond a certain point, we might even want to say that somebody who genuinely *resents* the natural environment is not engaging the world in a fundamentally sane manner, such is their failure to grasp the aptness of resentment's application to agents, not objects.

are preventing me from getting on the plane, they are appropriate targets for my resentment. More abstractly, one could resent the entire system of private property rights and coercively enforced maintenance of such. For example: I don't even bother turning up to the airport, because I know what will happen if I try to board the plane without the ticket – but I may nonetheless resent the entire system at work, precisely because I know that it is a product of specifically human actions, intentions, and complicities. I may aptly resent those, and their aggregate consequences, and perhaps not just because I want to go to Australia, but because of what I believe their wider effects on human flourishing, equality, justice, and so forth, to be.

It is important to stress that others may quite reasonably view my resentment in this case as *unjustified*. For example, those who think that enforcing a private property regime is broadly defensible, and that coercive guarantees used to prevent collective action problems from sabotaging the perceived wider benefits brought about through market exchanges, will want to say that I am making a mistake in resenting the wider private property and market-exchange system in the way that I claim to. And they may be right. But even if so, there remains an essential point of contrast here vis-à-vis the mountain case. To resent the natural environment is to make a category mistake about how to apply a normative emotion and corresponding evaluation. By contrast there is nothing *inherently* inappropriate about resenting the market system, even if others think that such resentment is unjustified, precisely because the market system is a product of collective human agency. Whether one views such resentment against the market system, or even just some particular outcome it has produced, as either justified or unjustified, will be a function of normative views one holds about wider political and economic regimes – that is, it will be a function of political *ideology*. You may well be right to think that the anarcho-syndicalist is making a mistake when she expresses resentment at the entire system of private property and its effects. But it is not because she has made a category mistake about the application of resentment. It is because you and she disagree politically.

What this means, however, is that it is too quick to say that markets merely *condition* our social choices, but do not *compromise* them. On the contrary, insofar as market exchanges are the outcome of aggregated human agency, sustained by a coercive state structure and upheld by the ongoing ‘opinion’ of participants, their effects upon social choices are candidates for being considered relevant to judgements regarding freedom, and will be assessed accordingly, depending on where one stands politically. One cannot declare that the market and its effects upon social choices count only as conditioning, but not compromising, unless one begs the question in favour of an ideological outlook that treats a given property regime as though it were simply there. Alternative ideological outlooks are wholly entitled to point out that this is simply not true, and in turn to argue that (e.g.) market outcomes can in some cases compromise, and not merely condition, freedom. Whether this is so remains an open question, up for contestation, and any conclusion has to be argued for in reference to wider political commitments, and not simply asserted as a neutral fact. These points are worth bearing in mind in what follows.

3. From the Monongahela Valley

As already noted, Pettit thinks that because ‘social freedom is what is at issue, I have to represent an obstacle of a distinctively human, interpersonal kind and this means, in effect, that I have to be intentionally or quasi-intentionally obstructive’. The reason for this seems to be that for Pettit intention is what distinguishes an interference as of concern to social freedom: ‘I do not interfere with you just through happening, like a natural obstacle, to be in your way or just through doing something that has the unforeseen effect of hindering you’ (Pettit 2008, 135). This, however, cannot be right.

The problem is that although it is plausible to think that interferences relevant to social freedom need to be distinguished from those that are not, this cannot be done by simply focusing on intention, and declaring that interferences that are not the result of intention are

therefore on a par with ‘natural obstacles’, and thus not relevant to social freedom. This is because there are cases of interference – especially arising from market activity – that cannot reasonably be declared not to count as interference *simply because* they are not the product of intention directed at those interfered with.

Take as an example the protagonist of Bruce Springsteen’s song *Youngstown*, which recounts the changing fortunes of Rust Belt America, from the heyday of producing the cannonballs ‘that helped the union win the war’, to a post-industrial decay where ‘that yard’s just scrap and rubble’. In the song’s climax, Springsteen’s steelworker states:

From the Monongahela Valley
To the Mesabi iron range
To the coal mines of Appalachia
The story’s always the same
Seven hundred tons of metal a day
Now sir, you tell me the world’s changed
Once I made you rich enough
Rich enough to forget my name

One of the points being conveyed is that the economic devastation experienced by American industrial sectors in the latter part of the twentieth century was very much the product of human agency.¹¹ Decisions made to close factories and relocate production to cheaper bases overseas were made by human beings in boardrooms, not chemical processes in the natural environment. Were the social choices of formerly-employed steel and coal workers interfered with by the decisions of the bosses to relocate production overseas? Undeniably so. Importantly, we can remain neutral at this point on how such interference is normatively salient – the only thing we need to agree upon is that interference occurred. But crucially, such interference need not have been *intentional* on behalf of the bosses. As Springsteen’s steelworker puts it ‘Once I made you

¹¹ And of course, America is not unique in this regard: if anything, Thatcher’s Britain led the way (think of Elvis Costello’s haunting song *Shipbuilding*). What is country-specific is how a government deals with deindustrialization – meaning that how individuals are affected by deindustrialization, as a feature of the evolution of modern market economies, is heavily influenced by *political* choices. In other words, there is no clean separation here between the market and politics, and to miss this is to miss something very important.

rich enough/Rich enough to forget my name'. It might have been that the bosses who made decisions to relocate overseas never gave a thought to the impact this would have on working class Americans. Let us suppose that the decisions were made purely on the basis of attempts to maximise profits, without it ever being the intention of the bosses to render thousands of people unemployed in the process. For sure, that was a foreseeable consequence of their actions – but it does not follow that they *intended* it. However, to say that the interference duly rendered should not count as socially relevant – that it is akin to the effects of a natural obstacle – simply because it was unintentional, cannot be right.¹² Springsteen's steelworker is not making a mistake in believing that the actions of the bosses have interfered profoundly in his life, and that this is qualitatively different from the impact of a hurricane. Whether the bosses intended to wreak this devastation might increase, or alter, the force and nature of any resentment that the protagonist feels (and it is worth noting that the bosses simply being unaware of the devastation they have unleashed need not necessarily remove the steelworkers' resentment, merely change its shape). But by itself this cannot mark the difference as to whether socially-relevant interference *has actually occurred*. It manifestly has – and what normative attitude we take towards that interference is a question downstream of its existence.

¹² By 'socially-relevant' interference I mean to indicate a distinction between forms of interference that are relevant to social freedom, and those that are not. Of course, *deciding which* instances are socially relevant is part of what will be at stake in any disagreement over freedom – and cannot simply be stipulated in advance, and nor can the matter be settled simply by appeal to intentionality (as I show below). Nonetheless, and for example: although my house flooding after a storm will cause lots of interference in my life, in turn conditioning my relations with others and my ability to act in particular ways in society, we would not typically say that this is a case of *socially-relevant* interference, because caused by a natural event. If, however, you run your hosepipe into my basement and turn the taps on full, the case is clearly different. (Although, even here, it's not clear that the most appropriate way to describe what has happened is you imposing on me a cost in *freedom* – it looks rather more like criminal vandalism. It is worth noting that it is not obvious that socially relevant interference *necessarily* generates unfreedom; other bads clearly exist. A tendency to assume that socially-relevant interference ipso facto damages freedom is a suspicious feature of republican accounts – but I do not explore that worry here.) Between these two extremes lie, of course, a range of possibilities, and deciding which cases of interference count as socially relevant and can in turn be built into claims in freedom will be controversial and require judgement. If my house floods because the state failed to enforce the taxes required to fix the levy, is this socially-relevant interference? Experience shows that opinions are not uniform on such matters, and nor is it obvious that some are simply making mistakes about the facts when disagreement arises. Pettit attempts to wrestle with these complexities in his discussion of 'vitiation' of freedom in *On the People's Terms* (chapter 1) – however, the account there seems to me to confuse more than it clarifies, and so I leave it aside for present purposes.

Perhaps, however, the case of Springsteen's steelworker might be said to fall under the heading of intentional interference, insofar as the steelworkers feel that (as Pettit puts it) 'blame is in order' vis-à-vis the bosses. Yet here we must note that the fact of socially-relevant interference is not demarcated according to whether blame is thought to be appropriate. This can be seen as follows. If the steelworkers wish to claim that the bosses are *causally responsible* for their unemployment (i.e. a loose sense of 'to blame'), then that is surely right. But if they want to say that the bosses are *blameworthy as such*, then that is a much stronger claim which requires taking a position – ultimately, a political position – on the question of the legitimacy of the bosses moving production overseas. Imagine, however, that we conclude against the steelworkers: that in fact blame is *not* in order, e.g. because we believe it to be legitimate in a market economy for producers to seek the lowest cost production bases, wherever located. It surely cannot follow, however, that *therefore no socially relevant interference occurred*. It patently did. Lack of blameworthiness does not, in and of itself, mark the relevant distinction, even leaving aside the fact that an evaluation of blame will itself inevitably draw, once again, on the wider ideological commitments that given agents bring to bear.

Pettit ought not, then, to invoke blameworthiness as relevant to deciding whether freedom-impacting interference has or has not occurred. Indeed, in the original formulation presented in *Republicanism*, Pettit appeared to want to say simply that domination must be a result of *human action*, and that intentionality is a way of picking that out, in turn delineating human-generated interference from that occurring due to e.g. natural forces or phenomena, the former but not the latter of which are relevant to social freedom (Pettit 1997, 53). However, merely focusing on intention cannot do the work required. This can be seen if we turn to another example, where neither intentionality *nor* blameworthiness feature, but socially relevant interference is indisputable. Imagine that by opening a series of low-cost car factories in Taiwan, a Taiwanese manufacturer undercuts the selling power of an American car firm, which duly goes bust, and lays off its workers. There is no suggestion here that the Taiwanese firm *intended* to

interfere in the social choices of the American factory workers. And although the American workers might correctly identify the Taiwanese firm as the *cause* of their unemployment, it is implausible that we ought to conclude that the Taiwanese firm is *to blame*, at least where that implies that it has done something illegitimate. (If we accept the market as a legitimate way to organise a property regime, then we must accept that some agents will outcompete others; in this case, she who wills the end also wills the means.) Similarly, the impact upon the social choices of the American factory workers is indubitably a result of human action – but intentionality is not what marks that out to be so. Thus, to say that the Taiwanese firm is *blameworthy* because it outcompeted the American firm is incorrect, whilst focusing on intentionality is to draw the net too narrowly when it comes to socially relevant interferences. Yet from the perspective of a now unemployed American factory worker, what matters with regards to their social choices is not whether or not the Taiwanese firm *intended* to interfere with these, nor whether third parties consider such economic activity to be *blameworthy*, but that the firm *has indeed* interfered. And once again, the situation is very different to if the American factory had been destroyed by an earthquake, and likewise what normative attitudes we take towards this kind of case will be downstream of the fact that socially relevant interference has occurred.¹³

It is, I suggest, arbitrary to rule out unintended interference as irrelevant to assessments of impacts upon social choices, whilst furthermore, socially-relevant interference cannot be picked out by invoking the idea of blame being ‘in order’. There are cases – such as Springsteen’s steelworker, or the Taiwanese manufacturer – where socially-relevant interference occurs, even if this is not the product of an intention to interfere. Yet these cases are not akin to ‘natural obstacles’, because they remain a function of the economy as a wider system of human agency and artifice. However, admitting that non-intentional interference may count when it comes to

¹³ And of course, the Taiwanese company is not the only other agent involved here. A whole host of political decisions need to be made and enforced to allow any particular instance of competition to occur. What ought we to say about (e.g.) the role of the courts, trade bodies, and ultimately governments, that enable such interference? Pettit treats the market as a series of discrete one-to-one exchange interactions – but that is misleadingly oversimplified because markets rely on the economy as structured by background political institutions.

assessing claims in social freedom poses serious problems for Pettit's position. For once this is permitted, the net will be cast too wide.

Consider the following example. Imagine that tomorrow the Oil Producing and Exporting Countries (OPEC) decided to unilaterally raise the price of oil by \$1000 a barrel. The impact this would have upon the wider global economy would be dramatic: jobs would be lost overnight; governments would have to drastically alter their tax and spend outlooks and undertake emergency measures to keep themselves solvent; financial markets would go into meltdown; in short, general economic chaos would ensue. It seems undeniable that *interference* would occur in the lives of many – in fact, billions – of people. What difference can it make that the OPEC cartel does not (let us suppose) *intend* to interfere in the lives of those billions? If OPEC raises the price of oil by \$1000 a barrel, I will have a fair claim to say that they have interfered extensively with my social choices. What difference can it make that they do not intend to do so? What is relevant to me is that they *do*. And again, this will not be like being hit by a hurricane. Even if OPEC no more intends to devastate my life than a storm does, in the former case I can point to a structure of human agency and decision-making, against which it is entirely appropriate for me to target my resentment, and not just at OPEC, but at the wider economic system that permitted such an outcome to even be possible, let alone occur. Whether or not I *do* express such resentment – and perhaps in turn want to mount my grievance as one in terms of a cost in freedom – will again depend on wider commitments that I hold, and how I view the normative significance of the interference I experience. But wherever I stand in those regards, the situation is not akin to the effects of severe weather.

The reason these considerations pose an acute problem for Pettit's theory of republican freedom, however, is that on his account mere absence of uncontrolled interference is not enough to secure freedom, but we must be in possession of robust guarantees that no such interference will be able to occur, or else be possessed of a checking mechanism allowing us to retaliate and thus remove the effective power of a potential *dominus*, who is instead forced to take

our interests properly into account. The problem generated by the OPEC example is that although we have good reason to believe that OPEC will not, as it happens, drastically raise the price of oil tomorrow, there is nothing we can do to *guarantee* that they will not do so. We live, as it were, at their whim, making OPEC the master, and the rest of us the slaves. But this has the dramatic implication of rendering everyone in the world, perhaps with the exception of the wealthiest billionaires, to that extent unfree, because liable to uncontrolled interference, and therefore (as Skinner would put it) in the existential condition of slavery. This in itself will strike many as a suspect conclusion: that we are unfree simply because OPEC *could* raise the price of oil, and thus exercise uncontrolled interference in our lives, even though we are very sure it won't, will be to many an indication that things are going wrong with the account of freedom (cf. Kramer 2008). This impression will deepen when it is considered how many similar cases there must be, each implying that we are all (or at least, all of us except the über-rich) multiply enslaved by multiple masters. Imagine the levels of uncontrolled interference were the Chinese government to unilaterally dump all its US government bonds; or if Google began charging exorbitant rates for its currently free services; or if major investment banks refused to underwrite the liabilities of European mortgage lenders? None of these possibilities are subject to robust checking mechanisms by parties affected by such actions, and thus on Pettit's view of freedom as non-interference – if allowing (as we ought) that unintended interference ought to count as relevant to social choices – all are at present sources of unfreedom. But that means that we must all (*pace* the über-rich) be at present *extensively unfree*, living as we do in a world comprehensively structured by multiple interdependent markets and market actors, any number of whom have the *potential* to arbitrarily interfere with the social choices of millions, if not billions, of people. Unless, that is, one asserts that only intentional interference counts when it comes to social choices – but as we have seen, there is good reason not to accept such a claim.¹⁴

¹⁴ This takes us back to the point initially made by Gaus (2003) and noted above: that if the *mere possibility* of arbitrary interference renders us unfree, then on the republican case we must apparently be in many ways unfree practically all of the time. I have developed this point in relation specifically to the market and the modern economy, but as

In the next two sections I consider some potential republican responses, but a further comment is worth making. This is that although I believe many will find it implausible to conclude that the vast majority of people right now are unfree just because OPEC *could* drastically increase the price of oil, it does not necessarily follow that we would want to say that if OPEC *did* take such dramatic action, the result would necessarily be a loss of freedom to those affected. Similarly, I take it to be an open question in the case of Springsteen's steelworker, or the Taiwanese manufacturer, whether the result of economic hardship caused by the loss of working class industry is a loss of *freedom*. In all cases we can grant that socially-relevant interference occurs, but reasonable parties may disagree as to whether this in turn constitutes a cost in freedom. How one views such cases will depend on wider commitments and beliefs about the extent to which freedom is tied to economic independence. For example, whether one can meaningfully be said to be subject to freedom-relevant interferences if one experiences *withdrawal* of (e.g. economic) opportunities, as opposed to experiencing the *provision of incentives* where they did not exist before. Or the extent to which freedom has to be understood in a specific context, e.g. if one thinks that the most relevant fact regarding the freedom of steelworkers is precisely their relationship to the bosses (as Marxists might maintain), or whether freedom can be comprehended abstractly in terms of identifying whether interference has or has not occurred, without it being relevant what the local circumstances are (a position more often favoured by theorists of negative freedom, in one strand of the liberal tradition). And so on. In other words, whether interference counts as freedom-violating is not a free-standing conclusion to which all parties might be reasonably expected to agree if debating in good faith, but is a function of the wider political views that differing parties bring to bear when they make claims about whether a particular sort of interference ought to count as freedom-violating. Furthermore, participants in any political contest over freedom will themselves be invoking that

Gaus's example of security vis-à-vis potential aggressors armed (for example) with nuclear ICBMs indicates, many other areas of human life will also carry such implications. Others may wish to develop various cases accordingly.

term not simply to describe an agreed set of circumstances, but to attempt to influence perceptions not only of what is normatively at stake, but also regarding how the facts of the matter are themselves to be interpreted. Judgments of freedom will – like instances of resentment against the outcomes, or even bare existence, of market economies – be extensively conditioned by existing ideology. To hope that this can be bypassed by focusing on interference, and ascertaining whether or not such interference can be said to have occurred or is to be permitted to count, is to fail to see that all such judgements will already be drawing upon a range of wider commitments that are themselves controversial, and not necessarily shared by political opponents. Once those commitments are acknowledged, however, we see that *disagreement* over freedom is inevitable in a pluralistic society characterised by differences of political opinion, and cannot be legislated away via technical definitions focused on purported facts of interference.

4. Republican Responses

Might Pettit not respond that the above arguments simply miss the point? After all, his claims about interference were focused upon a much narrower target than I have been interested in, namely the market as a price-allocation mechanism understood in terms of relationships between buyers and sellers. By contrast, the examples employed above are better described as interferences generated through *the economy*, rather than the market specifically. It is true that the economy is in a sense the aggregate sum of market transactions, but these are distinct targets of analysis. Might it not be replied that Pettit's point was simply to distinguish republicanism from more radical positions – e.g. communist and socialist – by insisting that the republican need not claim that market transactions are *in themselves* compromising of freedom? If the market is merely a price allocation mechanism, so long as parties are of relatively equal bargaining power and transactions preclude inherently dominating practices, it follows for the republican that no problematic arbitrary interference will be generated. When it comes to *the economy*, things may be different: unequal bargaining powers that have accrued from a multitude of market transactions

may (it might be granted) generate considerable sources of arbitrary interference, and these are of concern to the republican as losses of freedom. But those are by-products of repeat market exchange, rather than features of the market (a price allocation mechanism) itself. Have I not, therefore, missed the point?

I believe not, because if Pettit restricts his scope only to (as he sees it) well-functioning markets where buyers and sellers in one-to-one relationships do not face significant disparities of bargaining power, then the focus is so narrow as to be uninteresting. We can happily grant that under idealised circumstances mere market exchange in and of itself need not generate arbitrary interference (e.g. if buyers and sellers can undercut prices in turn, retaliating through the market itself so as to protect their own positions). But those are not the market circumstances that the vast majority of human agents find themselves in, and thus not the circumstances relevant to assessing the extent to which individuals really are subject to (the mere possibility of) arbitrary interference as produced by markets. To be told that markets don't *necessarily* generate such interference is not very interesting if what we want to know is what to say about situations where they *do* – as appears frequently to be the case.

Similarly, to complain that the examples used in the previous section are cases of *malfunctioning* markets (because characterised by e.g. uneven bargaining power), and thus not damaging to the republican position, is to fail to see that given that the economy is systematically characterised by the effects of 'malfunctioning' markets, it is precisely such cases that the republican needs to say something about. Yet, as I have tried to show, real-world markets pose considerable challenges to the republican view that freedom is lost by the mere possibility of arbitrary interference, because real world markets generate such possibilities on a massive scale. Similarly, if it is argued instead that the problematic cases highlighted above are not really about *markets* in the narrow sense of a label for the price-allocation mechanism, but about lack of control over (e.g.) corporate decision-making by those subject to their effects, the point may be granted, but nothing of substance changes. If what is required to prevent arbitrary interference

generated by the decisions made by OPEC is effective checking by those subject to its power, then it must still remain that *in the absence of* an ability to force OPEC to track the interests of those potentially interfered with by its decisions, then those affected are thereby rendered unfree – and this is precisely the conclusion that I suggested is implausible. Whether we say that such interference is a product of a market, or caused by lack of effective control over a corporate actor that is operating through a market, is in the end not important to the substantive question about freedom.

This brings us to a second potential line of republican response. A recent literature has attempted to articulate what a specifically republican political economy might look like (e.g. Dagger 2006; Cassassas and Wispelaere 2016; White 2011, Thomas 2017). An often-suggested feature is the provision of a universal basic income (UBI), providing citizens with some level of economic security, envisioned as a way of insulating employees from the ability of employers to dominate through the control of terms and conditions of labour (e.g. Pettit 2007b; Lovett 2009; Domènech and Raventós, 2007). In fact, as Rob Jubb (2008) has shown, it is not straightforward that republicans must favour a right to an *unconditional* basic income, due to the differing capacities of individuals to exit domination-engendering employment arrangements as generated by the provision of UBI itself. Furthermore, republicans are divided on whether UBI should merely provide enough to secure citizens in basic economic necessity, or whether it should be so high as to enable exiting the labour market entirely. But I here put these more specific issues aside, and concentrate on whether provision of a UBI could address the problems raised in the previous section.

My response is that it cannot, for the simple reason that if the republican claims that in order to avoid being dominated what is required is that all citizens receive UBI (at whatever level stipulated), then it must remain the case that in the absence of such a regime of economic guarantees, we remain extensively unfree. There may be excellent reasons to think that a UBI would be a good thing in terms of reducing domination across a range of metrics, and thus that

there are strong reasons for favouring such a policy (and one need not be a republican to agree). But in terms specifically of *freedom*, if the absence of a UBI means that we are unable to control arbitrary interference, the Pettit-style republican must remain committed to saying that we are now essentially unfree, because at the mercy of uncontrolled interference. Indeed, pretty much everybody who has ever lived in a market economy, and who is not wealthy to the point of being thereby insulated from the impact of market forces, must on Pettit's view be likewise essentially unfree. But this is the same dramatic conclusion reached in the previous section, and indicates a much more radical implication regarding the relationship of freedom to markets than the 'complacency' Pettit claims.

The same can be said of Robert Taylor's suggestion that republicans be 'enthusiastic' rather than merely 'complacent' about markets, and should outright champion them because the more that a market system approaches conditions of perfect competition, the more it restrains and eventually eradicates market power, and thus 'helps us to realize "market freedom", i.e. freedom as nondomination in the context of economic exchange'. Taylor argues that perfect competition ought to act as a 'regulatory ideal', no different from the rule of law, which although imperfect in practice 'the closer we can approach them, the closer we will be to achieving nondomination in economic and political life' (Taylor 2013, 9). In fact, the idea of perfect competition is very different from that of the rule of law: the former is a hypothetical modelling device used by economists to work out the implications of a set of constrained assumptions and explicitly not intended to explain real world economics, the latter a set of principles as well as practices evolved in real institutional settings in complex, historically-variable, attempts to administer ongoing affairs of state. But in any case, as regards the question of freedom it must remain that in the *absence* of Taylor's envisioned realm of perfect competition, wherein no citizen must be a price taker and no employer or corporate actor a price giver – i.e. in the world we currently occupy, have occupied for some time, and will go on occupying for the foreseeable future – we will remain subject to uncontrolled interference generated via market activity, and

thus extensively unfree. In other words, insofar as we don't live under conditions of perfect competition – indeed, far from it – the republican conclusion Taylor urges must in fact be that we are all (*pave* the über-rich) to that extent currently in the dominated position of slaves.

In the following section I address the potential republican reply that we should bite the bullet: that if our intuitions about freedom balk against the conclusion that we are all now extensively unfree because of the widespread existence of markets and the potential for uncontrolled interference they generate, then that is the hard truth we must accept and reconcile ourselves to. But before turning to that, it is worth considering the position of the nineteenth century 'labour republicans' as reconstructed by Alex Gourevitch (2011, 2013, 2015).

It is not possible here to do justice to Gourevitch's recovery of the movement he calls labour republicanism, dating from the nineteenth century, and thus neglected by those neo-republican theorists focusing on pre-eighteenth century sources. But pertinent to the present argument is his reconstruction of the idea of 'structural domination'. Gourevitch argues, on lines similar to the above, that Pettit's intentionality requirement is unduly limiting in insisting that domination must be a one-to-one relationship whereby a specific master intentionally dominates a specific slave, and he expressly draws a distinction in turn between Pettit's neo-republicanism and the 'labour republicans' of the nineteenth century (Gourevitch 2013, 592, 599-600).

Gourevitch reconstructs the claim of labour republicanism that because workers were forced to sell their labour to *some* employer in order to survive, they found themselves in positions of domination, upheld by a wider economic system whereby productive assets were controlled by a few, who were in turn able to exercise arbitrary power over workers, even if no specific employer intended to act as a *dominus* over any specific employee (2013, 601-2). This is a situation, however, which not only individuals, but entire communities, cities, and even countries (e.g. with regards to powerful corporations), can find themselves in (603). Gourevitch is in turn alert to precisely the problems for a republican account of freedom articulated above, and recognizes that Pettit's debarring of unintended interference from counting as domination is crucial to the

latter's position: 'If we expand our definition of domination to include other kinds of agents beyond personal masters then we run the risk of collapsing the distinction between unintended consequences and intentional interference. That, in turn, threatens to transform our anonymous interdependence, *our very social existence*, into domination. Then nobody could be truly free' (604, emphasis in original). According to Gourevitch, although this dramatic conclusion threatens Pettit's position, he believes the labour republican view avoids it by training its response on unequal control over productive assets. What is of concern to labour republicans is not simply our dependence upon all anonymous others, but our dependence upon *some* employer or other, in a situation of structural domination. The labour republicans called in turn for radical rearrangement of the way that productive assets were organised in society, so as to eliminate structural domination as generated by extensively uneven market bargaining power. Hence, it is unsurprising to find that labour republicanism 'goes in the direction of socialism' (Gourevitch 2011, 445).

The point for present purposes is to note the concomitant *radicalism* of the labour republican position, which calls for large-scale restructuring of control over productive assets. This stands in marked contrast – as Gourevitch points out (2011, 433, 441-4; 2013, 592, 598, 610-11) – to Pettit's assurances that his neo-republicanism is only mildly revisionary, not fundamentally at odds with the broad institutional realities of present western societies (Pettit 1997, 205; 2007a, 132, 147). On the contrary, if we take seriously the claim that freedom requires removal of the mere possibility of arbitrary interference, once we admit that economic relationships generate such interference, then modern market economies constitute massive sources of unfreedom. Short of a radical programme for transforming them – for example, some sort of socialised control of the means of production – they must, on the republican view, render

most of us unfree. In other words, Pettit can have a relaxed view of the conditions of market modernity, or a theory of freedom as the absence of arbitrary interference, but not both.¹⁵

5. Accepting Modernity

What might be said to a hard-headed republican reply, one that concedes that markets generate extensive uncontrolled interference, but *accepting* the counter-intuitive conclusion that most of us are therefore extensively unfree (perhaps insisting in turn that it is our intuitions, not the republican account, that need to be revised)? The first thing to ask is why we ought to continue to support republican theory so construed if it yields such counterintuitive responses. (This is particularly acute for Pettit, who has claimed that the method of reflective equilibrium supports his arguments for liberty as non-domination (Pettit 1997, 11, 102, 130)). I take it that part of the initial appeal of the republican theory is that it can make sense of our intuitive reaction to cases whereby freedom seems lost even when interference does not actually occur, as in the case of the slave with a benevolent master. Whereas negative liberty accounts seem unable to explain the apparent lack of freedom in such cases, Pettit's republicanism can. However, the recent proposal of an alternative understanding of liberty as 'independence' – advanced by Christian List and Laura Valentini – indicates that republican liberty is not unique on this score. List and Valentini's account, centred on 'the robust absence of constraints' (deliberately leaving open how to specify what counts as appropriate robustness as a matter of judgement), persuasively explains the intuitive unfreedom of the slave with a benevolent master, but without endorsing the republican

¹⁵ In this regard it is interesting that, as has recently been noted by Sean Irving, Friedrich Hayek's state minimalist 'classical liberalism' was expressly married to a concept of freedom as non-domination strikingly similar to Pettit neo-republican account (Irving 2017). Of course, Hayek was happy to say that the market simply does not restrict freedom, insofar as its outcomes are not the product of intentional interference – and endorsed in turn a very expansive view of markets, but a very restrictive view of the extent of legitimate state power. I take it that Pettit and other neo-republicans do not, for the most part, want to commit themselves to Hayekian libertarianism, but wish to remain close to the liberal-egalitarian mainstream. But that their core account of freedom may in fact push them in that direction is a nonetheless striking finding, and reinforces the contention of this paper that whichever way it turns, Pettit's republicanism is, as presently formulated, deeply unstable in its attitude towards markets, modernity, freedom, and the conjunction between them.

emphasis on arbitrary interference (List and Valentini 2016, 1067).¹⁶ Alternative reasons for insisting on the primacy of the republican theory are therefore required.

List and Valentini also point us in a further helpful direction if replying to the hard-headed republican. As part of their mapping of the conceptual space of different accounts of liberty, they suggest as a necessary desideratum that any satisfactory account of freedom ‘displays an adequate fidelity to ordinary-language use’, insofar as ‘A plausible conception of freedom should correctly capture at least those instances of social freedom and unfreedom about which competent speakers agree, namely, “paradigmatic cases.”’ (1051). List and Valentini argue that republican liberty fails this test by generating conclusions about freedom – such that the justifiably imprisoned criminal is not rendered *unfree* if her imprisonment is the result of an appropriately democratic political and legal procedure – that run too manifestly counter to ordinary language usage. Although it must be emphasised that this is not List and Valentini’s main argument against republican liberty (which is that a Pettit-style conception is unduly moralized because of its emphasis on arbitrary interference and what counts as such) it is nonetheless worth taking notice of.

In the first place, the case that I have urged above is the mirror of List and Valentini’s. Whereas they suggest that republicans must end up claiming that manifest cases of unfreedom – like the justly imprisoned criminal – are no such thing, I suggest that the hard-headed republican who insists that billions of people are unfree simply because OPEC *could* dramatically raise the price of oil is making a mistake in the other direction: claiming unfreedom in cases where competent language users would deny this to be appropriate.

A connected point cuts deeper, and relates to why we should care so much about what competent users of language have to say when it comes to political philosophical debate. After

¹⁶ An advantage of List and Valentini’s conceptual analysis, at least on my reading, is precisely that it leaves room for *judgement* about what is to count as a ‘robust absence of constraint’, and hence leaves open the possibility not only for reasonable disagreement about what counts as freedom-limiting, but also the fact that judgements about freedom will be likely to vary with context and history. This both distinguishes their ‘freedom as independence’ view from republican accounts, and also makes it more plausible.

all, is it not the task of the philosopher to identify the truth, no matter how uncomfortable or strange common sense may find it? Here, however, we do well to recall Williams's insistence that 'various conceptions and understandings of freedom, including the ones we immediately need for ourselves, involve a complex historical deposit, and we will not understand them unless we grasp something of that deposit, of what the idea of freedom, in these various connections, has become' (Williams 2005, 75). In particular, as Williams emphasises, any meaningful account of freedom will have to be a *value for us* – and although we may disagree extensively about how and why that is so, if hoping to be able to make sense of what freedom has come to mean for people like us, arguing about it here and now, then we will have to accept that 'Modernity is a basic category of social and hence political understanding, and so a politically useful construction of liberty for us should take the most general conditions of modernity as given' (90). A central component of modernity (at least in western societies) is that market economies intimately structure and condition the ways that we must now live. But as a result, an account of liberty that baulks at the present widespread existence of markets as generating extensive unfreedom is failing to take as given the basic conditions of what freedom could mean to people like us, and what (as Williams puts it) the value of freedom has to *do* for us – and thus will not constitute a helpful way of attempting to understand what is at stake. This is not to deny that 'there is room for much argument about what the conditions of modernity are', and in turn that there will be vibrant debate as to when and how liberty is compromised under such arrangements (91). But, as noted above, these will be thoroughgoing *political* disagreements, over a range of contested issues, and not simply disagreements about facts (or otherwise) of interference. The point, then, is not that republican liberty is somehow unintelligible in conditions of modernity (clearly that is not so), but rather that when we see what it must actually entail in a world of markets, it becomes deeply implausible – and hence we are better off looking elsewhere.

As I have emphasised throughout, when it comes to judgements of freedom we do not make these from a freestanding basis, but already suppose a set of background ideological

commitments which may be more or less hostile to various features of modernity – including especially markets and their effects – and in relation to which judgements of freedom are necessarily structured. Yet republican liberty as non-domination, as well as being implausible with regards to how it must construe freedom in a world of markets, is also badly equipped to make sense of this central feature of *disagreement* regarding the content of liberty. Furthermore, the centrality of disagreement to debates over freedom – because dependent upon wider political ideology, and drawing on complex and contested historical deposits – indicates that Pettit’s early hope that republican liberty would prove both an overarching and ecumenical single social idea, around which many different political outlooks could converge, was bound to be futile – as indeed it has proved (Pettit 1997, 6-7, 11-13).

Conclusion

Pettit has always maintained that his conceptual arguments for freedom as non-domination stand independent of the plausibility of any historical claims regarding the lost tradition of republican thought, excavated most famously by Quentin Skinner, but a version of which frontloads the argument of *Republicanism*, and the broad thrust of which Pettit has never repudiated. On the one hand this is just as well, as the historical plausibility of a lost republican tradition of thought, centring specifically on freedom as the absence of arbitrary power, has been called into severe doubt over the past two decades (e.g. Ando 2010; Douglass 2012; Larmore 2001; Nelson 2004; Ghosh 2008; McCormick 2003). But be that as it may, both Pettit and Skinner have long insisted that the defeat of republican ways of thinking about liberty was not caused by the inherent theoretical superiority of liberal ways of thinking, but of the ideological supplanting of republican liberty and its subsequent unjustified loss from historical and political consciousness. As Skinner puts it, although Hobbes’s vision of freedom as non-interference ‘won the battle’, we can nonetheless still ask ‘if he won the argument’ (Skinner 2008b, 216). Similarly, Pettit claims that liberal freedom as non-interference ‘succeeded in staging this coup d’état without anyone noticing the usurpation that had taken place’ (Pettit 1997, 50) – the upshot being that we can and

ought to *revive* a republican account of freedom, and hope for it to not only compete with, but overthrow, the currently dominant liberal outlook.

By contrast, I suggest that even if we grant the (controversial) claim that there once existed a unified republican tradition of thought centred on claims about liberty in terms of arbitrary power or interference, we should still challenge Pettit and Skinner's implication: that the defeat of republican freedom was caused not by its philosophical inadequacy, but by the intellectually unjustified hegemony of liberalism. Instead, insofar as liberty as non-domination appears ill-equipped to deal with the implications of market economics for questions of freedom, we might conclude that if such an understanding really did disappear from western political thought, perhaps this was because it ceased to make sense under what have emerged as the conditions of modernity. In which case, we should not hold out for its successful revival, but turn to sources better adapted to make sense of the centrality of markets to present political arrangements.

References

- Ando, Clifford (2010). 'A Dwelling beyond Violence: On the Uses and Disadvantages of History for Contemporary Republicans', *History of Political Thought*, 31(2): 183-220.
- Bader, Ralf M (2018). 'Moralized Conceptions of Liberty', in *The Oxford Handbook of Freedom*, ed. D. Schmidtz and C. Pavel, Oxford University Press.
- Casassas, David and Wispelaere, Jurgen de (2016). 'Republicanism and the Political Economy of Democracy', *European Journal of Social Theory*, 19(2): 283-300.
- Cohen, G.A. (2011). 'Capitalism, Freedom, and the Proletariat', in *On the Currency of Egalitarian Justice*, ed. M. Otsuka, Princeton University Press.
- Dagger, Richard (2006). 'Neo-republicanism and the civic economy', *Philosophy, Politics, and Economics* 5(1): 151-73.
- Domènech, Antoni and Daniel Raventós (2007). 'Property and Republican Freedom: An

- Institutional Approach to Basic Income', *Basic Income Studies* 2(2): 1-8.
- Douglass, Robin (2012). "Montesquieu and Modern Republicanism", *Political Studies* 60(3): 703-19.
 - Gaus, Gerald (2003). 'Backwards into the Future: Neorepublicanism as a post-socialist critique of market society', *Social Philosophy and Policy* 20(1): 59-91.
 - Ghosh, Eric (2008). 'From Republican to Liberal Liberty', *History of Political Thought* 29(1): 132-67
 - Gourevitch, Alex (2011). 'Labour and Republican Liberty', *Constellations* 18(3): 431-54.
 - (2013). 'Labour Republicanism and the Transformation of Work', *Political Theory*, 41(4): 591-617.
 - (2015). *From Slavery to the Cooperative Commonwealth: Labour and Republican Liberty in the Nineteenth Century*. Cambridge University Press.
 - Hume, David (1987). 'On the First Principles of Government', in *Essays Moral, Political and Literary*, ed. E.F. Miller, Liberty Fund, pp. 32-6.
 - Irving, Sean (2017). 'Hayek's Neo-Roman Liberalism', *European Journal of Political Theory* (forthcoming).
 - Jubb, Rob (2008). 'Basic Income, Republican Freedom, and Effective Market Power', *Basic Income Studies* 3(2): 1-19.
 - Kramer, Matthew (2008). 'Liberty and Domination', in *Republicanism and Political Theory*, ed. C. Laborde and J. Maynor, Wiley, pp. 31-57.
 - Larmore, Charles (2001). 'A Critique of Philip Pettit's Republicanism', *Philosophical Issues* 11(1): 229-43.
 - List, Christian and Valentini, Laura (2016). 'Freedom as independence', *Ethics*, 126(4): 1043-74.
 - Lovett, Frank (2009). 'Domination and Distributive Justice', *Journal of Politics* 71(3): 817-30.
 - (2010). *A General Theory of Domination and Justice*, Oxford University Press.
 - McCormick, John (2003). 'Machiavelli against Republicanism: On the Cambridge School's "Guicciardian Moments"'. *Political Theory* 31(5): 615-643.

- Nelson, Eric (2004). *The Greek Tradition in Republican Thought*, Cambridge University Press.
- Pettit, Philip (1996). 'Freedom as antipower', *Ethics*, 106(3): 576-604
- (1997). *Republicanism: A Theory of Freedom and Government*, Oxford University Press.
- (2002). 'Keeping republican freedom simple: On a difference with Quentin Skinner', *Political Theory*, 30(3): 339-56.
- (2007a). 'Freedom in the Market', *Politics, Philosophy and Economics*, 5(2): 131-49.
- (2007b). 'A Republican Right to Basic Income?', *Basic Income Studies* 2(2): 1-8.
- (2008). 'Republican Liberty: Three Axioms, Four Theorems', in *Republicanism and Political Theory*, ed. C. Laborde and J. Manor, Oxford University Press, pp. 102-30.
- (2012). *On the People's Terms: A Republican Theory and Model of Democracy*, Cambridge University Press.
- (2017). 'Political Realism Meets Civic Republicanism', *Critical Review of International Social and Political Philosophy*, 20(3): 331-47.
- Skinner, Quentin (2008a). 'Freedom as the absence of arbitrary power', in *Republicanism and Political Theory*, ed. C. Laborde and J. Manor, Oxford University Press, pp. 83-101.
- (2008b). *Hobbes and Republican Liberty*. Cambridge University Press.
- Stuart White (2011). 'The Republican Critique of Capitalism', *Critical Review of Social and Political Philosophy*, 14(5): 561-79.
- Thomas, Alan (2017). *Republic of Equals*, Oxford University Press.
- Williams, Bernard (2005). 'From freedom to liberty: the construction of a political value', in *In the Beginning was the Deed*, ed. G. Hawthorn, Princeton University Press, pp. 75-96.